



General Assembly

Distr.: General
3 April 2001

Original: English

Fifty-fifth session

Agenda items 127 and 128

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee

Rapporteur: Mr. Eduardo Manuel da Fonseca Fernandes **Ramos** (Portugal)

I. Introduction

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda items 127 and 128 appear in the reports of the Committee contained in documents A/55/691 and Add.1-2 and A/55/692 and Add.1.
2. The Fifth Committee resumed its consideration of the items at its 46th and 55th meetings, on 15 and 30 March 2001. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary record (A/C.5/55/SR.46 and 55).
3. For its further consideration of the items, the Committee had before it a note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (A/55/759).



II. Consideration of draft resolution A/C.5/55/L.54

4. At the 55th meeting, on 30 March, the representative of Norway, coordinator of the informal consultations on this item, introduced a draft resolution entitled "Report of the Office of Internal Oversight Services on the investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia" (A/C.5/55/L.54), which was submitted by the Chairman on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/55/L.54 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Office of Internal Oversight Services on the investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

The General Assembly,

Having considered the report of the Office of Internal Oversight Services on the investigation into possible fee-splitting arrangements between defence counsel and indigent detainees at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia¹ and the information provided that the investigation will be ongoing to ensure the highest standards of propriety and effectiveness of the Tribunals,

Having also considered the recommendations of the Office of Internal Oversight Services, which should be implemented expeditiously, taking into account the observations expressed by the Tribunals in this regard,

Requests the Secretary-General to ensure that the Office of Internal Oversight Services continues its investigation on the question of the possible fee-splitting arrangements between defence counsel and indigent detainees at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, and other related matters, in consultation with the Registrars of both Tribunals, and to report thereon to the General Assembly, including on the implementation of the recommendations of the Office of Internal Oversight Services, at its fifty-sixth session.

¹ A/55/759.